

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 )  
 v. ) Criminal No. 02-30043-MAP  
 )  
 (1) ALEKSEI SAFANOV, )  
 (2) IVAN TELEGUZ, )  
 (3) ROMAN ZHIRNOV, )  
 (4) ANDREY BUYNOVSKIY, )  
 (5) MICHAEL QUICKEL, )  
 Defendants. )

PARTIES' JOINT MEMORANDUM  
PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and counsel for the defendants, hereby file their joint memorandum pursuant to Local Rule 116.5(A):

1. Relief should be granted from the otherwise applicable timing requirements imposed by L.R. 116.3. Copies of numerous audio and video tapes have been provided to defense counsel, who need time to review both written discovery and the recordings.

2. Neither the defendants nor the government have sought discovery concerning expert witnesses under Fed. R. Crim. P. 16(a)(1)(E). The government and the defendants agree to confer and attempt to agree to provide appropriate expert discovery.

3. Both the government and the defense agree to confer with respect to discovery issues should either side receive additional information, documents, or reports of examinations or tests.

4. The defendants have not decided whether to file motions. The parties recommend that another status conference be scheduled in thirty days, at which time the parties will confer with the Court on whether it is appropriate to establish a motion schedule under Fed. R. Crim. P. 12(c) at this time.

5. The defense and the government agree that all of the time from the date of the return of the second superseding indictment until the date of the next status conference should be excluded under the Speedy Trial Act.

6. It is not clear whether a trial will be necessary. A trial should take one week.

7. A final status conference should not be scheduled. An interim status conference should be scheduled in thirty days.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

by:

  
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Kevin O'Regan  
Assistant U.S. Attorney

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Richard J. Maggi, Esq.  
Counsel for Michael Quickel

Date: March 17, 2004